

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO

In re:	)	CASE NO: 10-54128
	)	Chapter 13
Roger Lloyd Dantz	)	Judge Marilyn Shea-Stonum
Terri Lynn Dantz	)	<u>MOTION TO ESTABLISH VALUE</u>
Debtor(s)	)	<u>OF SECURED CLAIM(S)</u>

Now come the above-captioned debtors who pray for the entry of an order setting forth the value of the collateral in which each creditor named below claims or may claim to have a security interest for the purpose of establishing the extent to which each such creditor holds a secured claim pursuant to 11 U.S.C. §506(a). The amount set forth in the column labeled "secured value" is the value of the collateral and the amount which each such creditor will receive in full inside the plan prior to other creditors, but subject to concurrent payment of administrative expenses. The amount set forth in the column labeled "unsecured amount" is an estimate of the total amount of the debt less the "secured value" and is subject to adjustment based upon the amount of the claim filed by the creditor. The "unsecured amount" will be paid pro rata payments along with the general unsecured creditors provided for in the plan. If the amount listed in the "unsecured amount" column is zero, the debtor(s) intend(s) to pay the creditor in full inside the plan. If the amount in the column labeled "interest" is zero, no interest will be paid on the secured claim. If the amount in the column labeled "fixed payment" is zero, the secured claim shall be paid a pro rata distribution prior to other creditors but subject to concurrent payment of administrative expenses.

<b>CREDITOR</b>	<b>SECURED VALUE</b>	<b>UNSECURED AMOUNT</b>	<b>INTEREST (if applicable)</b>	<b>FIXED PYT.</b>
CitiFinancial	\$4,000.00	\$3,742.00	5%	\$119.88/mo.

### **NOTICE**

**No hearing shall be held on the foregoing, and the same may be granted without a hearing, unless an affected party files with the Court within fourteen (14) days from the date of the service of this notice a written request for a hearing on the foregoing with the Clerk of this Court at 455 U.S.Courthouse, 2 S. Main St., Akron, Ohio 44308 and serves a copy of this hearing request upon the attorney for the debtor(s). 11 U.S.C. §102(1)(b).**

### **AFFIDAVIT OF DEBTOR('S)(S') COUNSEL**

I, Robert M. Whittington, Jr., am counsel for the debtor(s) herein and I do state that prior to submitting a proposed order to the Court granting this motion I will have reviewed the claims register docket for this case on PACER and will provide on the service list for such proposed order all addresses shown on proofs of claims for respondents to this motion in addition to those shown on the certificate of service for this motion set forth below.

/s/ Robert M. Whittington, Jr.

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Robert M. Whittington, Jr. 0007851  
Elk, Elk & Whittington  
159 S. Main St.  
Akron, OH 44308  
Voice (330) 384 8484  
Fax (330) 384 8953  
E-mail elkwhitt@neo.rr.com

### **CERTIFICATE OF SERVICE**

A copy of the foregoing was sent by ordinary U.S. Mail, postage prepaid, on October 14, 2010 to those parties whose names and complete addresses appear below.

/s/ Robert M. Whittington, Jr.

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Robert M. Whittington, Jr.

Keith Rucinski, Chapter 13 Trustee  
I Cascade Plaza, 20th Floor  
Akron, OH 44308

U.S. Trustee  
201 Superior Ave. E. #441  
Cleveland, OH 44114

CitiFinancial  
Attn: Officer or General Counsel  
P.O. Box 183036  
Columbus, OH 43218

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NORTHERN DISTRICT OF OHIO

In re:	)	CASE NO: 10-54128
	)	Chapter 13
Roger Lloyd Dantz	)	Judge Marilyn Shea-Stonum
Terri Lynn Dantz	)	<u>NOTICE OF MOTION TO</u>
		<u>ESTABLISH SECURED VALUE</u>
Debtors.		

The debtors have filed papers with the Court to determine the value of collateral.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).**

If you do not want the Court to grant the motion, or if you want the Court to consider your views on the motion, then on or before October 28, 2010, you or your attorney must file with the Court a written request for a hearing and a written answer explaining your position at the office of the Clerk of the Bankruptcy Court, room 455, U.S. Courthouse, 2 S. Main Street, Akron, Ohio 44308. If you mail your request to the Court for filing, you must mail it early enough so that the Court will **receive** it on or before the date stated above.

You must also mail a copy to:

Robert M. Whittington, Jr., 1023 Key Bldg., 159 S. Main Street, Akron, OH  
44308

Keith Rucinski, chapter 13 trustee, I Cascade Plaza, #2020, Akron, OH 44308

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

DATE: October 14, 2010

Robert M. Whittington, Jr., 0007851  
Attorney for the Debtor(s)  
1023 Key Bldg.  
159 S. Main St.  
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(330) 384-8484